

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON

IN RE DIGITEK®
PRODUCT LIABILITY LITIGATION

MDL NO. 1968

THIS DOCUMENT RELATES TO ALL CASES

PRETRIAL ORDER # 24
(Briefing Schedules)

It is hereby **ORDERED** that the motion of defendants Actavis Totowa LLC, Actavis Inc., and Actavis Elizabeth LLC ("Defendants") to set a briefing schedule on Plaintiffs' cross-motion to expand and define the scope of discovery (docket # 138) is granted. No later than Monday, June 22, 2009, Defendants shall file their response; no later than Friday, June 26, 2009, Plaintiffs shall file their reply.

It is further **ORDERED** that no later than Monday, July 6, 2009, Plaintiffs shall file a motion and memorandum concerning the issue of Plaintiffs' counsel interviewing former employees of Defendants and the appropriate jurisdiction's law to be applied to that issue. No later than Friday, July 10, 2009, Defendants shall file their response; no later than Tuesday, July 14, 2009, Plaintiffs shall file their reply.

The Clerk is directed to file this Order in 2:08-md-1968 which shall apply to each member Digitek®-related case previously

transferred to, removed to, or filed in this district, which includes counsel in all member cases up to and including civil action number 2:09-cv-675. In cases subsequently filed in this district, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action at the time of filing of the complaint. In cases subsequently removed or transferred to this court, a copy of the most recent pretrial order will be provided by the Clerk to counsel appearing in each new action upon removal or transfer. It shall be the responsibility of the parties to review and abide by all pretrial orders previously entered by the court. The orders may be accessed through the CM/ECF system or the court's website at www.wvsc.uscourts.gov.

ENTER: June 17, 2009



Mary E. Stanley
United States Magistrate Judge